



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial Number: 10/662594
Appl. Filed: 9/15/2003
Applicants: Arnold
Appl. Title: Use of 4-androstene-3, 6, 17 trione...
Examiner:

PETITION TO MAKE SPECIAL

Assistant Commissioner of Patents
Washington, D.C. 20231

Applicant hereby respectfully petitions that the above application be made special under MPEP Section 708.02 for the following reason; attached is a declaration in support thereof:

- | | |
|---|---|
| <u>I.</u> Manufacturer Available | VI. Energy Savings Will Result |
| II. Infringement Exists | VII. Recombinant DNA is Involved |
| III. Applicant's Health is Poor | <u>VIII.</u> Special Procedure: Search was made |
| IV. Applicant's Age is 65 or Greater | IX. Superconductivity is Advanced |
| V. Environmental Quality will be Enhanced | |

Attached is an Affidavit in support of the petition.

Very respectfully submitted,

Michael Berns 38,379

02/04/2004 RHEBRAHT 00000081 10662594

130.00 0P

01 FC:1460



UNITED STATES DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

Applicant: Arnold

Application: Use of 4 androstene-3, 6, 17 trione...

Serial No. 10/662594

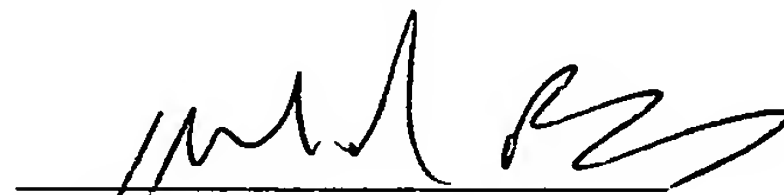
VERIFIED STATEMENT

Pursuant to 37 CFR 1.102, and MPEP 708.02, applicant petitions to make the application special based on actual infringement, manufacturer available, and search made. In support of the accompanying Petition to Make Special, applicant declares as follows:

1. I am the attorney for the inventor, Patrick Arnold, and the assignee, Proviant Technologies, Inc.
2. I am the attorney of record for subject application.
3. I have caused to be made a careful and thorough search of the prior art and have a good knowledge of the pertinent prior art.
6. I believe that all of the claims of the application are allowable.
7. Proviant Technologies, Inc. has sufficient presently available capital to market and produce the product.
8. Proviant Technologies, Inc. has sufficient facilities to produce larger quantities of the product.
9. Proviant Technologies, Inc. can make available sufficient capital and facilities to increase production if a patent is granted.
10. Proviant Technologies, Inc. will not increase present manufacture unless certain that the patent will be granted and infringers can be stopped.
11. Proviant Technologies, Inc. has obligated itself to manufacture the product to protect the investment of capital and facilities.
15. I further declare that all statements made herein of my own knowledge are true and that all statements made upon information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application and any patent issuing therefrom.

The undersigned, being hereby warned that wilful false statements and the like so made are punishable by fine or imprisonment, or both, and that such wilful false statements may jeopardize the validity of the application or any resulting registration, declares that he/she believes the applicant to be the owner of the invention sought to be patented, and that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

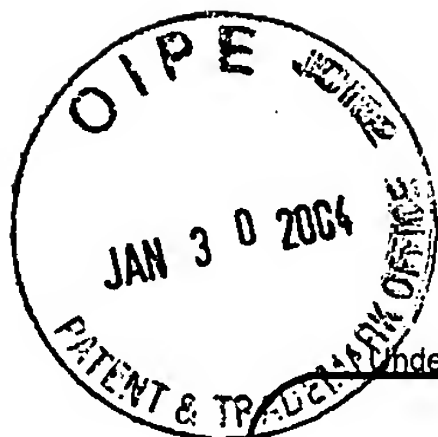
Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michael Berns', written over a horizontal line.

Michael Berns
Attorney for Proviant Technologies, Inc.

Dated:

Maloney, Parkinson & Berns
Michael Berns
135 West Main Street
Urbana, IL 61801
217-367-9000
Fax 217-384-4206



PTO/SB/21-(08-03)

Approved for use through 08/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

4

Application Number

10/662594

Filing Date

9/15/2003

First Named Inventor

Arnold

Art Unit

Examiner Name

Attorney Docket Number

LPJ6OXO

ENCLOSURES (Check all that apply)

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Response to Missing Parts/
Incomplete ApplicationResponse to Missing Parts
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a
Provisional Application

Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____

After Allowance communication
to Technology Center (TC)Appeal Communication to Board
of Appeals and InterferencesAppeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please
Identify below):

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENTFirm
or
Individual name

Michael Berns

Signature

Date

01/24/2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name

Michael Berns

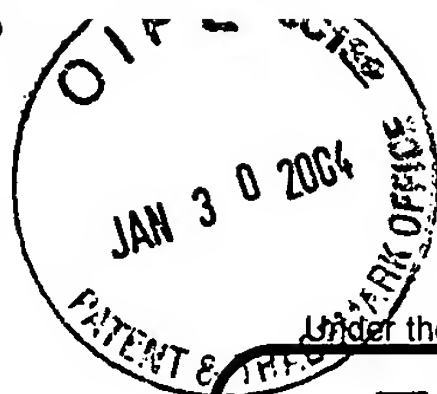
Signature

Date

01/24/2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130

Complete if Known

Application Number	10/662594
Filing Date	9/15/2003
First Named Inventor	Arnold
Examiner Name	
Art Unit	
Attorney Docket No.	LPJ6OXO

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number
Deposit Account Name

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments

☐ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)				(\$)	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		-20** =		X		=	
Independent Claims		-3** =		X		=	
Multiple Dependent						=	

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)				(\$)	

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	130
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130

SUBMITTED BY

Name (Print/Type)	Michael Berns	Registration No. (Attorney/Agent)	38379	Telephone	217-367-9000
Signature		Date	1/24/2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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